

BOYLE
FREDRICKSON
NEWHOLM
STEIN&GRATZ^{SC}
INTELLECTUAL PROPERTY LAW

07-25-01

A

SUITE 1030

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07/24/01

MARY E EBERLE
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July 24, 2001

Director of the U.S. of Patent
and Trademark Office
Box Patent Application
Washington, D.C. 20231

Re: Utility Patent Application Transmittal
Inventor(s): Thomas G. Rehberger and John P. O'Neill
Title: *Direct-Fed Microbial*
Assignee: AgTech Products, Inc.
USPTO Customer Account No.: 23598
Attorney Docket No.: 362.003

Dear Sir:

Enclosed is our check in the amount of \$695.00 in payment of the government filing fee for the enclosed United States patent application, which application includes 35 pages of specification, 4 pages of Bibliography, 40 claims on 7 sheets, 10 Drawings on 10 sheets, and an Abstract of the Disclosure. An *unexecuted* Declaration and an *unexecuted* Assignment is also enclosed. An executed Declaration and Assignment will be filed at a later date along with the late filing surcharge and Assignment recordation fee. A Fee Transmittal Form PTO/SB/17 (11/00) is also enclosed.

Applicant is a small entity within the meaning of 37 CFR §§ 1.9 and 1.27 and hereby claims small entity status.

I hereby request that the attached application **NOT** be published under 35 U.S.C 122(b). An executed Request and Certification under 35 U.S.C. 122(b)(2)(B)(i) is also enclosed.

Director of the U.S. Patent

and Trademark Office

July 24, 2001

Page 2

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



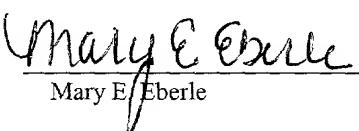
Mary E. Eberle
Registration No. 43,599



Place Customer Account
23598
PATENT TRADEMARK OFFICE

Certification Under 37 CFR 1.10
Express Mail Label No: EL647007881US Date of Deposit: July 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service in "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Director of the U.S. Patent and Trademark Office, Box Patent Application, Washington, D.C. 20231.


Mary E. Eberle

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$695)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Rehberger
Examiner Name	
Group Art Unit	

TOTAL AMOUNT OF PAYMENT	(\$695)	Attorney Docket No.	362.003
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METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	50-1170
Deposit Account Name	Boyle Fredrickson Newholm Stein & Gratz S.C.

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status See 37 CFR 1.27

2. Payment Enclosed:

Check Credit Card Money Order Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355 Utility filing fee
106	320	206	160 Design filing fee
107	490	207	245 Plant filing fee
108	710	208	355 Reissue filing fee
114	150	214	75 Provisional filing fee

SUBTOTAL (1) (\$355)**2. EXTRA CLAIM FEES**

Total Claims	Independent Claims	Extra Claims	Fee from Below	Fee Paid
40	7	-20**= 20 - 3**= 4	x 9 = 180 x 40 = 160	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	80	202 40 Independent claims in excess of 3
104	270	204 135 Multiple dependent claim, if not paid
109	80	209 40 **Reissue independent claims over original patent
110	18	210 9 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$340)

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65 Surcharge – late filing fee or oath	
127	50	227 25 Surcharge – late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	390	216 195 Extension for reply within second month	
117	890	217 445 Extension for reply within third month	
118	1,390	218 695 Extension for reply within fourth month	
128	1,890	228 945 Extension for reply within fifth month	
119	310	219 155 Notice of Appeal	
120	310	220 155 Filing a brief in support of an appeal	
121	270	221 135 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive – unavoidable	
141	1,240	241 620 Petition to revive – unintentional	
142	1,240	242 620 Utility issue fee (or reissue)	
143	440	243 220 Design issue fee	
144	600	244 300 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279 355 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0)*Complete (if applicable)*

Name (Print/Type)	Mary E. Eberle	Registration No (Attorney/Agent)	43,599	Telephone	(414) 225-9755
Signature	<i>Mary E. Eberle</i>			Date	July 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO Assistant Commissioner for Patents, Washington, DC 20231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Thomas G. REHBERGER and John P. O'NEILL

For: *Direct-Fed Microbial*

REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

Director of the U.S. Patent
and Trademark Office
Washington, DC 20231

Sir:

I hereby certify that the invention disclosed in the attached ***application has not and will not be*** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C 122(b).

Respectfully submitted,



Mary E. Eberle
Registration No. 43,599

Dated: July 24, 2001

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